

FORM PTO-1390  
(REV. 5-93)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER  
10191/2290

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/070971**

INTERNATIONAL APPLICATION NO.  
**PCT/DE00/02585**

INTERNATIONAL FILING DATE  
**03 August 2000  
(03.08.00)**

PRIORITY DATE CLAIMED:  
**11 September 1999  
(11.09.99)**

TITLE OF INVENTION  
DEVICE FOR CONTROLLING DISTANCE

APPLICANT(S) FOR DO/EO/US  
Hermann WINNER and Ralph LAUXMANN

Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) immediately rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (Unsigned)
10. ☒ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern other document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☒ A substitute specification and marked-up version of substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: International Search Report, Preliminary Examination Report and PCT/RO/101.

U.S. APPLICATION NO. if known, see 37 C.F.R. 1.5

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17. ☒ The following fees are submitted:

**Basic National Fee (37 CFR 1.492(a)(1)-(5)):**

Search Report has been prepared by the EPO or JPO ..... \$890.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) .... \$710.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482) but  
international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$740.00

Neither international preliminary examination fee (37 CFR 1.482) nor international  
search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$1,040.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all  
claims satisfied provisions of PCT Article 33(2)-(4) ..... \$100.00

CALCULATIONS | PTO USE ONLY

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$ 890

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months  
from the earliest claimed priority date (37 CFR 1.492(e)).

\$

Claims	Number Filed	Number Extra	Rate		
Total Claims	4 - 20 =	0	X \$18.00	\$0	
Independent Claims	1 - 3 =	0	X \$84.00	\$0	
Multiple dependent claim(s) (if applicable)			+ \$280.00	\$	

**TOTAL OF ABOVE CALCULATIONS =**

\$890

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must  
also be filed. (Note 37 CFR 1.9, 1.27, 1.28).

\$

**SUBTOTAL =**

\$890

Processing fee of \$130.00 for furnishing the English translation later the ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE =**

\$890

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$

**TOTAL FEES ENCLOSED =**

\$890

Amount to be:  
refunded \$  
charged \$

- a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 11-0600 in the amount of \$890.00 to cover the above fees. A duplicate copy of this  
sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to  
Deposit Account No. 11-0600. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must  
be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Kenyon & Kenyon  
One Broadway  
New York, New York 10004  
Telephone No. (212) 425-7200  
Facsimile No. (212) 425-5288

SIGNATURE

Richard L. Mayer, Reg. No. 22,490  
NAME

DATE

Customer No. 26646

Abstract Of The Disclosure

The device ascertains a setpoint distance or a setpoint time gap with respect to a vehicle driving ahead as a function of the traveling speed, the distance control taking a minimum distance or a minimum time gap, specifiable by the driver, into  
5 consideration when determining the setpoint distance or the setpoint time gap.

Since the driver's impression of distance is dependent on the visibility at the moment, in response to poor visibility (bad weather, darkness), the distance control increases the setpoint distance or the setpoint time gap ascertained for normal visibility.